

## REMARKS

Reconsideration and allowance of this application are respectfully requested.

Claims 1-3 and 5-16 remain pending, wherein claims 17-34 were previously withdrawn. By this communication, claim 4 is canceled without prejudice or disclaimer of the underlying subject matter, and claims 1, 5, 7-9, and 11-16 are amended.

### Rejections Under 35 U.S.C. §103

Claims 1-11 are rejected under 35 U.S.C. §103(a) for alleged unpatentability over *Howard et al.* (US 6728804) in view of *Van der Meulen* (US 6906617) and further in view of *Abdulkarim* (US 2003/0088796). Applicants respectfully traverse this rejection.

Independent claim 1 is amended to recite the following:

A communication adapter apparatus that connects one of plural connection object apparatuses having an apparatus object consisting of information, which is based on functions of the apparatuses, and operable control items, respectively and a network to which a controller for remotely controlling the connection object apparatus is connected, comprising:

communication control means that controls transmission and reception of data to and from the network;

apparatus communication managing means that copies and saves the apparatus object, saves a procedure for a communication service of the communication control means, and makes it possible to use the connection object apparatus from the network using these saved data;

apparatus interface means that is defined by standards common to all the apparatuses in order to make all the plural connection object apparatuses connectable; and

power supply managing means that manages a state of power supply of the communication adapter apparatus, and controls an operation of at least one of the communication control means and the apparatus interface means in accordance with a state of the power supply,

wherein the apparatus communication managing means includes:

an apparatus interface access unit that is usable according to a procedure common to the connection object apparatuses;

an apparatus control access unit that is usable from the communication control means according to the common procedure;

first access control means that permits/prohibits access to the apparatus interface access unit from the communication control means; and

second access control means that permits/prohibits access to the apparatus control access unit from the apparatus interface means.

On page 6 of the Office Action, the PTO asserts that the communications adapter disclosed by *Howard* is analogous to Applicants' claimed apparatus control access unit. *Howard* discloses that the communications adaptor includes a communications module that handles communications over the communications port and over the communications network. When communication is established between the adapter and the electronic *device*, the device is serviced, controlled, or monitored through via the adapter. See Howard, pgph bridging cols. 4 and 5; and pgph bridging cols. 6 and 7.

While *Howard* discloses the controlling of an electronic device through the communications adapter, the discussion in no way intimates that the control technique includes a manner of permitting or prohibiting access to an apparatus interface access unit from a communication control means and permitting/prohibiting access to the apparatus control access unit from the apparatus interface, as recited in the claims. In fact, the Office Action does not provide a mapping of each of Applicants' claimed features (i.e., apparatus interface access unit, apparatus control access unit, first access control unit, and second access control unit), and conveniently generalizes the language of Applicants' claim in an effort to render a rejection. For at least this reason, Applicants' submit that the rejection is improper as the Office Action suggests and the combination of references confirms that each and every feature recited in independent claim 1 is neither taught nor suggested.

In summary, *Howard*, *Van der Meulen*, and *Abdulkarim* when applied individually or collectively as alleged, fail to disclose or suggest every feature and/or the combination of features recited in Applicants' claims. Accordingly a *prima facie* case of obviousness has not been established.

The courts have established that the USPTO has the initial burden of establishing a **factual basis** to support the legal conclusion of obviousness. In re Oetiker, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). For rejections under 35 U.S.C. § 103(a) based upon a combination of prior art elements, in KSR Int'l v. Teleflex Inc., 127 S.Ct. 1727, 1741, 82 USPQ2d 1385, 1396 (2007), the Supreme Court stated that "a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art." "Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some **articulated reasoning with some rational underpinning** to support the legal conclusion of obviousness." In re Kahn, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006) (emphasis added). For at least the foregoing reasons, withdrawal of this rejection is respectfully requested.

On page 9 of the Office Action, claim 12 is rejected under 35 U.S.C. §103(a) for alleged unpatentability over *Howard* in view of *Fritsche et al.* (US 65670076). Applicants respectfully traverse this rejection.

As amended independent claim 12 recites, among other features, a storage device that saves the data, wherein the storage has plural pieces of driver software, each driver controlling hardware of a respective second input/output interface for each input/output format and, when the first input/output interface is connected to the

second input/output interface of the home appliance, the CPU distinguishes an input/output format of the second input/output interface of the home appliance on the basis of voltage information supplied from the home appliance via a specific terminal of the second input/output interface and selects driver software corresponding to the input/output format of the second input/output interface of the home appliance based on the supplied voltage information.

The PTO alleges that *Howard* discloses every feature recited in claim 12, except for distinguishing an input/output system based on voltage information supplied from the home appliance. *Fritsche* is relied upon to remedy this deficiency.

*Fritsche* discloses a method of using an evaluation unit to identify an electrical component through a voltage measurement. Fritsche, Abstract. This reference, however, does not disclose or suggest the selection of an input/output format based on the voltage information. As recited, in claim 12, the CPU distinguishes an input/output format of the second input/output interface of the home appliance on the basis of voltage information supplied from the home appliance. Distinguishing an input/output format of a second interface, as recited in claim 12, is not analogous to identifying an electrical component as disclosed in *Fritsche*. As a result, *Fritsche* does not remedy the deficiencies of *Howard* as it pertains to claim 12. Because the combination of *Howard* and *Fritsche* fails to disclose every element and/or the combination of elements recited in Applicants' claims, Applicants respectfully submit that a *prima facie* case of obviousness has not been established. Withdrawal of this rejection, therefore is respectfully requested.

Beginning on page 10 of the Office Action, claims 13-16 stand rejected under 35 U.S.C. §103 for alleged unpatentability over *Howard* in view of *Van der Meulen*. Applicants respectfully traverse this rejection.

Independent claim 13 recites, among other features, a storage device that saves the data, wherein the storage device has plural pieces of driver software, each driver directly controls hardware of a respective second input/output interface for each corresponding input/output format, the first input/output interface includes a specific terminal that supplies a clock signal from the communication adapter to the home appliance, and the CPU starts driver software having a serial input/output format of a clock synchronous or asynchronous clock in association with a supply or a non-supply of the clock signal, and on the basis of a voltage returned from the home appliance, selecting driver software of the serial input/output format having one of the synchronous or asynchronous clock.

The PTO applies *Van der Meulen* in an effort to remedy the deficiencies of *Howard* as it relates to supplying a clock signal as recited in Applicants' claim. While not acquiescing to the teachings of *Van der Meulen* as alleged, Applicants do submit that the applied references as combined fail to disclose or suggest on the basis of a response returned from the home appliance, selecting driver software of the serial input/output format having a clock type identified in the response, as recited in claim 13. At best, *Van der Meulen* discloses the supplying of a clock signal, it does not, however, disclose that driver software is selected based on the clock type identified in the response. For at least this reason a *prima facie* case of obviousness has not been established, and withdrawal of this rejection is respectfully requested.

Regarding independent claims 14-16, each of these claims similarly recites, among other features, the communication adapter selects driver software held by the storage device on the basis of a communication frame that is sent from an electrical apparatus connected to the network.

The PTO alleges that the combination of *Howard* and *Van der Meulen* discloses this feature, and particularly *Howard*. Upon close inspection, however, Applicants disagree. *Howard* discloses that the electrical apparatus that is sought to be controlled send identification information to the communication adapter. In each of claims 14-16, however, one of ordinary skill would understand that the home appliance is the component that is being controlled and the electrical apparatus is the device sending the communication frame and response, where applicable. Based on this distinction, Applicants respectfully submit that the combination of *Howard* and *Van der Meulen* does not establish a *prima facie* case of obviousness. Accordingly, withdrawal of this rejection is respectfully requested.

**Conclusion**

Based on at least the foregoing amendments and remarks, Applicants submit that claims 1-3 and 5-16 are allowable, and that this application is in condition for allowance. Accordingly, Applicants request a favorable examination and consideration of the instant application. In the event the instant application can be placed in even better form, Applicants request that the undersigned attorney be contacted at the number below.

Respectfully submitted,

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